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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,951	12/31/2001	Zhen-Man Lin	GIA 117	5248

7590 06/20/2003

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EXAMINER
DINH, TIEN QUANG

ART UNIT	PAPER NUMBER
3644	

DATE MAILED: 06/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application N .	Applicant(s)
	10/029,951	LIN, ZHEN-MAN
	Examiner	Art Unit
	Tien Dinh	3644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 November 2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Pri rity under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *6* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the remote control planes, narcotic spray, ground based monitoring center, means for generating can and detector means for detecting must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The amendment filed 11/29/02 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: The narcotic sprayer is new matter.

Applicant is required to cancel the new matter in the reply to this Office Action.

The disclosure is objected to because of the following informalities: please do not list the numbers that represent the parts of the invention next to the figures like "Fig. 1 f" as this is confusing as to suggests that there is a Fig 1f when there is not. Furthermore, on page 12 part B.b. what is a "laucher" seems to be a spelling error. What is a "laucher"?

Appropriate correction is required.

Claim Rejections - 35 USC § 112

Claims 1-9 rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

It is not understood how the double door system works. As shown in figure 1 and 4, if the person trying to enter the cockpit through the double door system, why is the weight sensor and voice recognition system, etc. not in the space covered by the double door. Why is there a double entry space in figure 1?

It seems that all the sensors are located in the "k" section and not in the space defined by the double door.

Further in claim 6, what is a raster curtain? What does it do? A curtain is defined as "Material that hangs in a window or other opening as a decoration, shade, or screen." How could this be used to scan a person entering the cockpit. Furthermore, what is a "means for generating can" as claimed in claim 6. How does it work? In addition, what is a detector means for

detecting whether the raster curtain has been breached? How does it work? How can it be used to detect a breach in the curtain?

In claim 7, what is a narcotic sprayer? How does it work?

In claim 9, how does the remote-control plane is prepared to control the airliner? The details seem lacking for one of ordinary skill to know how this system operates.

Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 1, "A double-door 'single person checkroom' is that provides" is vague. What does "is that provides" mean?

In claim 1, line 3, "including first and second doors that are to be connected open and closed positions of one another" is vague. What does this mean? Does this mean that if one door is open the other will open also?

In claim 6, the claim language is confusing. It is not understood what "means for generating can to set different frequency's beams" mean.

In claim 8, concealed electronic monitoring device is a double inclusion of elements in view of claim 1, part b. Are there different concealed electronic monitoring devices.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, and 8, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Garehime in view of Zekich, Feher, and Borthayre.

Garehime discloses an aircraft hijacking system having a concealed monitoring device to deter potential hijackers but lacks the system to allow ground base system to control the aircraft or the "flight trajectory calibrator', the means to monitor the aircraft from the ground, and the double-door system with means to determine the accessibility of a person to the cockpit and the door system having transparent bulletproof glass. However, Zekich discloses a double door system having clear bullet proof glass and identification means (five finger mold) are well known in the art. Feher discloses means to monitor the aircraft from the ground as well as "Flight Trajectory Calibrator 80" are well known in the art. Borthayre discloses a system to take control away from the cockpit to the ground system via a special frequency band is well known in the art. Borthayre inherently has a flight trajectory calibrator system to know where the aircraft is and going so it can control the aircraft.

It would have been obvious to one skilled in the art at the time the invention was made to have used double door system having clear bullet proof glass and identification

means (five fingers mold), means to monitor the aircraft from the ground, and a system to take control away from the cockpit to the ground system in Garehime's system as taught by Zekich, Feher, and Borthayre to prevent the hijackers from taking over the aircraft. As for the term consists, please note that it would have been obvious to one skilled in the art to have taken away non-critical elements of the security system in Garehime's system to reduce complexity and reduce weight.

Re claim 2, please note that the Zerick teaches the use of opening and closing the doors in preset program so that unauthorized people can enter the restricted area.

Claim 4-6, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Garehime as modified by Zekich, Feher, and Borthayre as applied to claim 1 above, and further in view of Anastassakis.

Garehime as modified by Zekich, Feher, and Borthayre discloses all claimed parts of the invention except for weight sensor to detect the weight of the person requesting entry to an area. However, Anastassakis discloses a weight sensors to know the weight of the person requesting entry to an area is well known in the art.

It would have been obvious to one skilled in the art at the time the invention was made to have used weight sensors in Garehime's system as modified by Zekich, Feher, and Borthayre and as taught by Anastassakis to prevent the hijackers from taking over the aircraft.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garehime as modified by Zekich, Feher, and Borthayre as applied to claim 1 above, and further in view of Boudreau.

Garehime as modified by Zekich, Feher, and Borthayre discloses all claimed parts of the invention except for the narcotic sprayer used to put terrorists to sleep. However, Boudreau discloses the use of narcotic sprayers is well known in the art.

It would have been obvious to one skilled in the art at the time the invention was made to have used a narcotic sprayers in Garehime's system as modified by Zekich, Feher, and Borthayre and as taught by Boudreau to prevent the hijackers from taking over the aircraft.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garehime as modified by Zekich, Feher, and Borthayre as applied to claim 1 above, and further in view of Torian et al.

Garehime as modified by Zekich, Feher, and Borthayre discloses all claimed parts of the invention except for the remote control airplane used to control the airliner. However, Torian et al discloses that an airplane used to control another aircraft is well known in the art. (Please note, that remote control aircrafts are notoriously well known in this day and age).

It would have been obvious to one skilled in the art at the time the invention was made to have used a remote control aircraft to control the hijacked aircraft in Garehime's system as modified by Zekich, Feher, and Borthayre and as taught by

Torian et al to prevent the hijackers from taking over the aircraft by having the remote control aircraft follow the hijacked aircraft so that the control signals can not be lost.

Response to Arguments

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the teachings of Zekich, Feher, Borthayre, Torian et al, Boudreau, and Anastassakis all teach the necessary modifications that would have been obvious to one skilled in the art make the Garehime's system more terrorists proof so that damages are prevented.

The applicant's arguments center on the practicality of the references or the laws implemented by the U.S. Governments. However, the Examiner would like to point out that the claims are met by the references. Therefore, the claims are anticipated by the noted references.

Please note that the claims do not call for the elements that the applicant supposedly claims would make the claims be allowable over the prior arts.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Stomski discloses a security system.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tien Dinh whose telephone number is 703-308-2789. The examiner can normally be reached on 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Jordan can be reached on 703-306-4159. The fax phone numbers for the organization where this application or proceeding is assigned are 703-306-4195 for regular communications and 703-306-4195 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-4195.

TD
June 14, 2003